

Exhibit 1

1 SHEPPARD MULLIN RICHTER & HAMPTON LLP
2 A Limited Liability Partnership
3 Including Professional Corporations
4 GARY L. HALLING, Cal. Bar No. 66087
5 JAMES L. MCGINNIS, Cal. Bar No. 95788
6 MICHAEL W. SCARBOROUGH, Cal. Bar No. 203524
7 Four Embarcadero Center, 17th Floor
8 San Francisco, California 94111-4106
9 Telephone: 415-434-9100
10 Facsimile: 415-434-3947
11 E-mail: ghalling@sheppardmullin.com
12 jmcginnis@sheppardmullin.com
13 mscarborough@sheppardmullin.com

14 Attorneys for Defendants
15 SAMSUNG SDI AMERICA, INC.,
16 SAMSUNG SDI CO., LTD.,
17 SAMSUNG SDI (MALAYSIA) SDN. BHD.,
18 SAMSUNG SDI MEXICO S.A. DE C.V.,
19 SAMSUNG SDI BRASIL LTDA.,
20 SHENZEN SAMSUNG SDI CO., LTD. and
21 TIANJIN SAMSUNG SDI CO., LTD.

22 UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA
24 SAN FRANCISCO DIVISION

25 In re: CATHODE RAY TUBE (CRT)
26 ANTITRUST LITIGATION

Case No. 07-5944 SC

MDL No. 1917

27 This Document Relates to:

28 DIRECT PURCHASER ACTIONS

**SAMSUNG SDI DEFENDANTS'
RESPONSES TO DIRECT
PURCHASER PLAINTIFFS' FIRST
SET OF INTERROGATORIES**

PROPOUNDING PARTY: DIRECT PURCHASER PLAINTIFFS

RESPONDING PARTIES: SAMSUNG SDI AMERICA, INC.; SAMSUNG
SDI CO., LTD.; SAMSUNG SDI (MALAYSIA)
SDN. BHD.; SAMSUNG SDI MEXICO S.A.
DE C.V.; SAMSUNG SDI BRASIL LTDA.;
SHENZEN SAMSUNG SDI CO., LTD.; and
TIANJIN SAMSUNG SDI CO., LTD.

SET NO.: One (1-16)

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendants Samsung SDI America, Inc., Samsung SDI Co. Ltd., Samsung SDI (Malaysia) Sdn. Bhd., Samsung SDI Mexico S.A. De C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co., Ltd., and Tianjin Samsung SDI Co., Ltd. (collectively, "Samsung SDI" or "the Samsung SDI Defendants") hereby respond to the First Set of Interrogatories propounded by the Direct Purchaser Plaintiffs ("Plaintiffs") as follows:

I.

GENERAL OBJECTIONS

1. Samsung SDI and its counsel are continuing their investigation of this matter. Samsung SDI's present responses are based on information known as of this time. Samsung makes these responses without prejudice to its right to supplement them, as necessary, based on subsequently acquired information or knowledge, whether gained through Samsung SDI's continued investigation or the investigation of others.

2. Samsung SDI objects to each interrogatory, definition, or instruction to the extent it seeks information outside the scope of discovery authorized by the Court's September 12, 2008 Order for Stay of Discovery and January 5, 2010 Order to Extend Limited Discovery Stay (collectively, the Court's "Discovery Stay Orders").

3. Samsung SDI objects to Plaintiffs' interrogatories, definitions and instructions to the extent that they seek the discovery of information regarding the sale of CRTs or finished products containing CRTs outside of the United States and unrelated to United States commerce, on the grounds that they are overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Such sales are beyond the scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the United States, and beyond the jurisdiction or reach of the laws of any State.

4. Samsung SDI objects to each interrogatory, definition, or instruction to the extent it seeks information regarding conduct outside the applicable statute(s) of

1 limitations, on the grounds that such documents and information are neither relevant to any
2 claims or defenses in this litigation nor reasonably calculated to lead to the discovery of
3 admissible evidence.

4 5. Samsung SDI objects to Plaintiffs' interrogatories on the grounds that
5 the sixteen separate interrogatories and numerous sub-parts contained in the interrogatories
6 constitute more than the allowable twenty-five interrogatories and thus exceed the limit
7 permitted under Federal Rule of Civil Procedure 33(a).

8 6. In making these responses, Samsung SDI does not concede the
9 relevancy or materiality of any of Plaintiffs' interrogatories; nor does Samsung SDI
10 concede the relevancy or materiality of any of the subjects to which those interrogatories
11 relate or refer.

12 7. To the extent any interrogatory, definition or instruction may be
13 construed as calling for the disclosure of privileged or immune information, including,
14 without limitation, information subject to the attorney-client privilege, common-interest
15 privilege, work-product doctrine, joint defense privilege, and/or relating to confidential
16 plea or settlement negotiations, and/or any other privilege or immunity from discovery,
17 Samsung SDI hereby claims such privileges and immunities and objects to the disclosure
18 of any documents or information subject thereto. Any disclosure of privileged or protected
19 documents, materials, or information is inadvertent and not intended to waive those
20 privileges or protections.

21 8. To the extent any interrogatory, definition or instruction may be
22 construed as seeking the disclosure of confidential trade secrets, financial, commercial,
23 strategic or otherwise proprietary or confidential information, Samsung SDI objects to the
24 disclosure of any such documents or information. To the extent any such material is
25 produced in this action, Samsung SDI reserves the right to appropriately designate it
26 pursuant to the protective order in place in this action, and to seek such additional terms
27 and protections as may be appropriate. Samsung SDI further objects to providing
28

1 documents or information subject to a confidentiality agreement or other restrictions or to
2 a protective order entered in another action or proceeding, except in accordance with such
3 confidentiality agreements, restrictions or protective orders.

4 9. Samsung SDI objects to any interrogatory, definition or instruction
5 that calls for the disclosure of information that would violate the legitimate privacy rights
6 and expectations of Samsung SDI employees, directors, officers, affiliates or subsidiaries,
7 both current and former, or other individuals, to the extent that such privacy rights or
8 expectations are protected by law, contract, or public policy.

9 10. To the extent any interrogatory, definition or instruction may be
10 construed as requiring Samsung SDI to characterize documents or their contents or to
11 speculate as to what documents may or may not show, Samsung SDI objects to such
12 interrogatory, definition or instruction as vague, ambiguous and calling for legal
13 conclusions and speculation.

14 11. A response by Samsung SDI that it will produce non-privileged
15 documents with information responsive to an interrogatory located in the course of a
16 reasonable search is not a representation that documents in that category exist, nor is such
17 a response (or the production of any documents in a particular category) a representation
18 that Samsung SDI adopts, accepts, affirms or admits the assertions, contentions or
19 definitions used or made in connection with the interrogatory.

20 12. Samsung SDI objects to each and every interrogatory, definition and
21 instruction to the extent that it purports to impose burdens upon Samsung SDI that are not
22 permitted by law, or seeks to impose greater obligations than those imposed under the
23 Federal Rules of Civil Procedure, the Local Rules of the District Court of the Northern
24 District of California, or any order of the Court.

25 13. Samsung SDI objects to each and every interrogatory, definition and
26 instruction to the extent that it seeks documents or information the disclosure of which is
27 prohibited by law, regulation, court order, or other authority of the foreign jurisdiction in
28

1 which the documents or information are located, and/or to the extent such interrogatory,
2 definition or instruction seeks discovery in contravention of principles of public policy or
3 international comity.

4 14. Samsung SDI objects to the extent that any interrogatory, definition or
5 instruction seeks documents that are not in the possession, custody or control of Samsung
6 SDI. Samsung SDI further objects to the extent that any interrogatory, definition or
7 instruction seeks documents or information in the possession, custody or control of
8 Plaintiffs, or that are equally or more readily available to Plaintiffs from third parties or
9 otherwise.

10 15. Samsung SDI objects to each and every interrogatory to the extent
11 that it seeks information that is obtainable from some other source that is more convenient,
12 less burdensome, or less expensive.

13 16. Samsung SDI objects to each and every interrogatory, definition and
14 instruction to the extent that it calls for the creation of documents or data compilations that
15 do not exist or that are not ordinarily kept in the normal course of business.

16 17. Samsung SDI objects to each and every interrogatory to the extent it
17 is duplicative of or unreasonably cumulative to other discovery propounded and/or
18 produced in this action.

19 18. Samsung SDI objects to each and every interrogatory, definition and
20 instruction to the extent it assumes disputed facts or legal conclusions. Samsung SDI
21 hereby denies any disputed facts or legal conclusions assumed by each interrogatory,
22 definition and instruction. Any response or objection herein is without prejudice to this
23 objection and Samsung SDI's right to dispute facts and legal conclusions assumed by the
24 interrogatories, definitions and instructions.

25 19. Samsung SDI objects to each and every interrogatory, definition and
26 instruction to the extent it seeks documents in contravention of Federal Rule of Criminal
27 Procedure 6(e)(2) or other analogous foreign or domestic laws, regulations or orders.
28

20. Samsung SDI objects to each and every interrogatory, definition and instruction to the extent that it is overbroad, unduly burdensome, and oppressive.

21. Samsung SDI objects to each and every interrogatory, definition and instruction to the extent that it seeks information that is neither relevant to any claims or defenses in this litigation nor reasonably calculated to lead to the discovery of admissible evidence.

I.

OBJECTIONS TO CERTAIN DEFINITIONS

In addition to its General Objections, Samsung SDI objects to certain of Plaintiffs' purported definitions as set forth below:

1. The term "Defendant" means defendants named in the Direct Purchaser Plaintiffs' Consolidated Amended Complaint and their present or former employees, officers, directors, agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other person acting on their behalf.

Objection: Samsung SDI objects that this purported definition is vague, ambiguous, overbroad, unintelligible, unduly burdensome and oppressive. Samsung SDI further objects to this definition as purporting to impose a greater burden on Samsung SDI than is otherwise permissible under the law, including without limitation the Federal Rules of Civil Procedure. Samsung SDI is incapable of providing information on behalf of persons and entities other than Samsung SDI. Samsung SDI further objects to this definition to the extent it calls for the disclosure of documents or information protected from discovery by the attorney-client privilege and/or work product doctrine.

3. The terms "You," "Your," and "Yourself" means defendant as defined herein.

Objection: Samsung SDI objects to these purported definitions on the same grounds as with respect to Plaintiffs' Definition No. 1, each of which objections is incorporated by this reference as though fully set forth herein.

1 4. The term "Document" includes all documents and electronically
2 stored information as defined in Federal Rule of Civil Procedure 34(a). A draft or non-
3 identical copy is a separate document within the meaning of this term.

4 **Objection:** Samsung SDI objects that this purported definition is overbroad,
5 unduly burdensome and oppressive, including without limitation due to the inclusion of
6 drafts in this definition. Samsung SDI further objects to this definition as purporting to
7 impose a greater burden on Samsung SDI than is otherwise permissible under the law,
8 including without limitation the Federal Rules of Civil Procedure.

9 5. The term "Employee" means any individual currently in the employ
10 of, or at any time employed by, or acting as the agent of a defendant as defined herein.

11 **Objection:** Samsung SDI objects that this purported definition is vague,
12 ambiguous, overbroad, unintelligible, unduly burdensome and oppressive. Samsung SDI
13 further objects to this definition as purporting to impose a greater burden on Samsung SDI
14 than is otherwise permissible under the law, including without limitation the Federal Rules
15 of Civil Procedure. Samsung SDI is incapable of providing information on behalf of
16 persons and entities other than Samsung SDI. Samsung SDI further objects to this
17 definition to the extent it calls for the disclosure of documents or information protected
18 from discovery by the attorney-client privilege and/or work product doctrine.

19 6. The term "CRT" means cathode ray tube(s) and "CRT Products"
20 means products containing cathode ray tubes.

21 **Objection:** Samsung SDI objects that these purported definitions are vague,
22 ambiguous, overbroad, unduly burdensome and oppressive. Samsung SDI also objects to
23 these definitions to the extent they seek information that is neither relevant to any claims
24 or defenses in this litigation nor reasonably calculated to lead to the discovery of
25 admissible evidence.

26 7. Unless otherwise noted, the term "Relevant Time Period" means the
27 period from January 1, 1995 through the present.

28

Objection: Samsung SDI objects to this purported definition to the extent it calls for information regarding conduct outside the applicable statute(s) of limitations and/or continuing to the present on the grounds that it is overbroad, unduly burdensome, oppressive and seeks information that is neither relevant to any claims or defenses in this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Samsung SDI further objects to this definition to the extent it purports to impose a greater burden on Samsung SDI than is otherwise permissible under the law, including without limitation the Federal Rules of Civil Procedure.

9. The term "Date" means the exact day, month and year, if ascertainable, or the best available approximation, including any relationship to other known events (designate whether exact or approximate).

Objection: Samsung SDI objects that this purported definition is vague, ambiguous, overbroad, unintelligible, unduly burdensome and oppressive. Samsung SDI further objects to this definition as purporting to impose a greater burden on Samsung SDI than is otherwise permissible under the law, including without limitation the Federal Rules of Civil Procedure.

II.

OBJECTIONS TO INSTRUCTIONS

In addition to its General Objections and Objections to Certain Definitions, Samsung SDI objects to Plaintiffs' purported instructions as follows:

1. When asked to identify a natural person, state the person's name, employer, position dates of employment/tenure, and home address for all times during the Relevant Time Period. If any of such information has changed during the relevant time period, specify the time period to which the information provided in your answer pertains.

Objection: Samsung SDI objects to this purported instruction on the grounds that it is overbroad, unduly burdensome, unreasonable and inconsistent with common usage of the term "identify." Samsung SDI further objects to this instruction to

1 the extent it calls for the disclosure of information that would violate the legitimate privacy
2 rights and expectations of Samsung SDI's employees, directors, officers, affiliates, and
3 subsidiaries, both current and former, and other individuals. Samsung SDI's current
4 employees may be contacted through undersigned counsel for Samsung SDI. Samsung
5 SDI further objects to this instruction as purporting to impose a greater burden on Samsung
6 SDI than is otherwise permissible under the law, including without limitation the Federal
7 Rules of Civil Procedure.

8 2. When asked to identify any entity other than a natural person, state the
9 name and address of the principal office or headquarters. If any of the information has
10 changed during the Relevant Time Period, specify the time period to which the information
11 provided in your answer pertains.

12 **Objection:** Samsung SDI objects to this instruction on the grounds that it is
13 overbroad, unduly burdensome, unreasonable and inconsistent with common usage of the
14 term "identify." Samsung SDI further objects to this instruction as purporting to impose a
15 greater burden on Samsung SDI than is otherwise permissible under the law, including
16 without limitation the Federal Rules of Civil Procedure.

17 3. If the responding party elects to produce business records in response
18 to an interrogatory pursuant to Federal Rule of Civil Procedure 33(d), the responding party
19 shall produce the records as they are kept in the usual course of business or shall organize
20 and label them to corresponding with the interrogatory. If the document is being produced
21 in its native electronic format (allowing the document to retain its metadata), identify the
22 document using its hash or other appropriate electronic identification and identify to the
23 interrogatories to which the document is responsive. If the document is not being
24 produced in electronic form, identify the document using the applicable bates numbers or
25 specifically identify the type of document being produced (e.g., letter, memorandum,
26 telegram, contract, invoice, etc.), its date and author(s), its custodian, and every person to
27 whom such document or any copy thereof was given or sent. For all documents produced
28

1 pursuant to Rule 33(d), identify the name of the employee, officer, or agent certifying the
2 documents as business records.

3 **Objection:** Samsung SDI objects to this instruction on the grounds that it is
4 overbroad, unduly burdensome, unreasonable and oppressive. Samsung SDI further
5 objects to this instruction as purporting to impose a greater burden on Samsung SDI than is
6 otherwise permissible under the law, including without limitation the Federal Rules of
7 Civil Procedure.

8 **III.**

9 **RESPONSES TO INTERROGATORIES**

10 Subject to the foregoing General Objections, Objections to Certain
11 Definitions and Objections to Instructions, Samsung SDI hereby responds to Plaintiffs'
12 individual interrogatories as follows:

13 Samsung SDI makes these responses in good faith to Plaintiffs'
14 interrogatories as framed. Samsung SDI stands ready and willing to meet and confer at a
15 mutually convenient and appropriate time and place to resolve such disputes as may exist
16 between the parties regarding its responses herein.

17 **INTERROGATORY NO. 1:**

18 State the name, address, and relationship to You of each person who
19 prepared or assisted in the preparation of the responses to these interrogatories. (Do not
20 identify anyone who simply typed or reproduced the responses.)

21 **RESPONSE TO INTERROGATORY NO. 1:**

22 In addition to its General Objections, Objections to Certain Definitions and
23 Objections to Instructions, each of which is incorporated by this reference as though fully
24 set forth herein, Samsung SDI objects to this interrogatory to the extent that it seeks
25 privileged or immune information, including without limitation information subject to the
26 attorney-client privilege, common-interest privilege, work-product doctrine, joint defense
27 privilege, and/or relating to confidential plea or settlement negotiations, and/or any other
28

1 privilege or immunity. Samsung SDI also objects to this interrogatory on the grounds that
2 it seeks information that is neither relevant to any claims or defenses in this litigation nor
3 reasonably calculated to lead to the discovery of admissible evidence. Samsung SDI
4 further objects to this interrogatory to the extent it calls for the disclosure of information
5 that would violate the legitimate privacy rights and expectations of Samsung SDI
6 employees, directors, officers, affiliates, and subsidiaries, both current and former, and
7 other individuals.

8 Subject to and without limiting each of these objections, Samsung SDI
9 responds that its responses to Plaintiff's interrogatories were prepared by Samsung SDI's
10 attorneys, Sheppard, Mullin, Richter & Hampton LLP, with the assistance of Yongtae
11 Kim, Senior Manager, Samsung SDI Co., Ltd.

12 **INTERROGATORY NO. 2:**

13 Identify each current and former employee who has or had any managerial
14 responsibility for recommending, reviewing, setting or approving prices, bids, quotes, or
15 rebates for Your CRT and/or CRT Products during the Relevant Time Period. For each
16 person identified, include his or her name, address, title, location, the division or unit of the
17 company where he or she worked, and a description of his or her responsibilities
18 throughout the Relevant Time Period.

19 **RESPONSE TO INTERROGATORY NO. 2:**

20 In addition to its General Objections, Objections to Certain Definitions and
21 Objections to Instructions, each of which is incorporated by this reference as though fully
22 set forth herein, Samsung SDI objects to this interrogatory to the extent that it seeks
23 privileged or immune information, including without limitation information subject to the
24 attorney-client privilege, common-interest privilege, work-product doctrine, joint defense
25 privilege, and/or relating to confidential plea or settlement negotiations, and/or any other
26 privilege or immunity. Samsung SDI also objects to this interrogatory to the extent it calls
27 for the disclosure of information that would violate the legitimate privacy rights and
28

1 expectations of Samsung employees, directors, officers, affiliates, and subsidiaries, both
 2 current and former, and other individuals. Samsung SDI further objects to this
 3 interrogatory on the grounds that it is vague and ambiguous, including without limitation
 4 as to the phrase "any managerial responsibility" as used in this interrogatory. Samsung
 5 SDI also objects to this interrogatory to the extent it seeks information regarding conduct
 6 outside the applicable statute(s) of limitations and/or continuing to the present on the
 7 grounds that it is overbroad, unduly burdensome, oppressive and seeks information that is
 8 neither relevant to any claims or defenses in this litigation nor reasonably calculated to
 9 lead to the discovery of admissible evidence. Samsung SDI further objects to this
 10 interrogatory to the extent it seeks the discovery of information regarding the sale of CRTs
 11 or finished products containing CRTs outside of the United States and unrelated to United
 12 States commerce, on the grounds that it is overbroad, unduly burdensome, irrelevant, and
 13 not reasonably calculated to lead to the discovery of admissible evidence. Such sales are
 14 beyond the scope of this litigation, outside the subject-matter jurisdiction of the antitrust
 15 laws of the United States, and beyond the jurisdiction or reach of the laws of any State.

16 Subject to and without limiting each of these objections, Samsung SDI will
 17 produce and identify non-privileged documents with responsive information located in the
 18 course of a reasonable search, including without limitation, as to documents produced to
 19 date, SDCRT-0001846-1858.

20 **INTERROGATORY NO. 3:**

21 Identify each employee with pricing authority who attended any trade
 22 association during the Relevant Time Period relating to CRT and/or CRT Products and
 23 state with respect to each employee:

- 24 (a) the trade association attended;
- 25 (b) the dates of attendance;
- 26 (c) any offices, chairs or committee positions held in each of the trade
- 27 associations; and
- 28

1 (d) the dates which those offices, chairs or committee positions were
2 held.

3 **RESPONSE TO INTERROGATORY NO. 3:**

4 In addition to its General Objections, Objections to Certain Definitions and
5 Objections to Instructions, each of which is incorporated by this reference as though fully
6 set forth herein, Samsung SDI objects to this interrogatory on the grounds that it is vague
7 and ambiguous, including without limitation as to the phrase "pricing authority" as used in
8 this interrogatory. Samsung SDI also objects to this interrogatory to the extent it seeks
9 information regarding conduct outside the applicable statute(s) of limitations and/or
10 continuing to the present on the grounds that it is overbroad, unduly burdensome,
11 oppressive and seeks information that is neither relevant to any claims or defenses in this
12 litigation nor reasonably calculated to lead to the discovery of admissible evidence.
13 Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of
14 information regarding the sale of CRTs or finished products containing CRTs outside of
15 the United States and unrelated to United States commerce, on the grounds that it is
16 overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the
17 discovery of admissible evidence. Such sales are beyond the scope of this litigation,
18 outside the subject-matter jurisdiction of the antitrust laws of the United States, and
19 beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this
20 interrogatory to the extent it seeks information or documents in the possession, custody or
21 control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other
22 defendants, third parties or otherwise. Samsung SDI further objects to this interrogatory
23 on the grounds that it is overbroad, unduly burdensome, and oppressive, and seeks
24 information that is neither relevant to any claims or defenses in this litigation nor
25 reasonably calculated to lead to the discovery of admissible evidence.

26 Subject to and without limiting each of these objections, Samsung SDI will
27 produce and identify non-privileged documents with responsive information located in the
28

1 course of a reasonable search.

2 **INTERROGATORY NO. 4:**

3 Identify each actual or proposed agreement between You and any producer
4 of CRT and/or CRT Products, including the named defendants in this coordinated
5 proceeding, relating to prices, pricing, production or inventory levels of CRT and/or CRT
6 Products during the relevant time period. Agreements shall include drafts. For every such
7 actual or proposed agreement state:

8 (a) the identity of the participants and all persons with knowledge
9 thereof;

10 (b) when such agreement was entered into;

11 (c) where such agreement was entered into;

12 (d) the terms of such agreement, and

13 (e) when, how and which of your officers, directors or employees
14 discovered the existence of such agreement.

15 **RESPONSE TO INTERROGATORY NO. 4:**

16 In addition to its General Objections, Objections to Certain Definitions and
17 Objections to Instructions, each of which is incorporated by this reference as though fully
18 set forth herein, Samsung SDI objects to this interrogatory to the extent that it seeks
19 privileged or immune information, including without limitation information subject to the
20 attorney-client privilege, common-interest privilege, work-product doctrine, joint defense
21 privilege, and/or relating to confidential plea or settlement negotiations, and/or any other
22 privilege or immunity. Samsung SDI further objects to this interrogatory on the grounds
23 that it is vague and ambiguous, including without limitation as to the phrase "actual or
24 proposed agreement" as used in this interrogatory. Samsung SDI also objects to this
25 interrogatory to the extent it seeks information regarding conduct outside the applicable
26 statute(s) of limitations and/or continuing to the present on the grounds that it is overbroad,
27 unduly burdensome, oppressive and seeks information that is neither relevant to any claims
28

1 or defenses in this litigation nor reasonably calculated to lead to the discovery of
2 admissible evidence. Samsung SDI further objects to this interrogatory to the extent it
3 seeks the discovery of information regarding the sale of CRTs or finished products
4 containing CRTs outside of the United States and unrelated to United States commerce, on
5 the grounds that it is overbroad, unduly burdensome, irrelevant, and not reasonably
6 calculated to lead to the discovery of admissible evidence. Such sales are beyond the
7 scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the
8 United States, and beyond the jurisdiction or reach of the laws of any State. Samsung SDI
9 also objects to this interrogatory to the extent it seeks information or documents in the
10 possession, custody or control of Plaintiffs, or that are equally or more readily available to
11 Plaintiffs from other defendants, third parties or otherwise. Samsung SDI further objects
12 to this interrogatory on the grounds that it is overbroad, unduly burdensome, and
13 oppressive, and seeks documents and information that are neither relevant to any claims or
14 defenses in this litigation nor reasonably calculated to lead to the discovery of admissible
15 evidence.

16 Subject to and without limiting each of these objections, Samsung SDI will
17 produce and identify non-privileged documents with responsive information located in the
18 course of a reasonable search.

19 **INTERROGATORY NO. 5:**

20 Identify any meeting or communication between You and other producers of
21 CRT and/or CRT Products during the Relevant Time Period, including the named
22 Defendants in this coordinated proceeding, regarding CRT and/or CRT Product pricing,
23 price increase announcements, terms or conditions of sales, profit margins or market share,
24 production levels, inventory, customers, auctions, reverse auctions, dynamic bidding
25 events, or sales, and for each such meeting or communication:

26 (a) provide the date and location of the meeting or communication;

27 (b) identify the person(s) who initiated, called, organized, attended or
28

1 participated in the meeting or communication;

2 (c) describe the subject matter discussed and any information you
3 provided or received;

4 (d) describe every action taken by you as a result of the meeting or
5 communication; and

6 (e) identify all persons with knowledge relating to the meeting or
7 communication.

8 **RESPONSE TO INTERROGATORY NO. 5:**

9 In addition to its General Objections, Objections to Certain Definitions and
10 Objections to Instructions, each of which is incorporated by this reference as though fully
11 set forth herein, Samsung SDI objects to this interrogatory to the extent that it seeks
12 privileged or immune information, including without limitation information subject to the
13 attorney-client privilege, common-interest privilege, work-product doctrine, joint defense
14 privilege, and/or relating to confidential plea or settlement negotiations, and/or any other
15 privilege or immunity. Samsung SDI further objects to this interrogatory on the grounds
16 that it is vague and ambiguous, including without limitation as to the phrase "actual or
17 proposed agreement" as used in this interrogatory. Samsung SDI also objects to this
18 interrogatory to the extent it seeks information regarding conduct outside the applicable
19 statute(s) of limitations and/or continuing to the present on the grounds that it is overbroad,
20 unduly burdensome, oppressive and seeks information that is neither relevant to any claims
21 or defenses in this litigation nor reasonably calculated to lead to the discovery of
22 admissible evidence. Samsung SDI further objects to this interrogatory to the extent it
23 seeks the discovery of information regarding the sale of CRTs or finished products
24 containing CRTs outside of the United States and unrelated to United States commerce, on
25 the grounds that it is overbroad, unduly burdensome, irrelevant, and not reasonably
26 calculated to lead to the discovery of admissible evidence. Such sales are beyond the
27 scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the
28

1 United States, and beyond the jurisdiction or reach of the laws of any State. Samsung SDI
 2 also objects to this interrogatory to the extent it seeks information or documents in the
 3 possession, custody or control of Plaintiffs, or that are equally or more readily available to
 4 Plaintiffs from other defendants, third parties or otherwise. Samsung SDI further objects
 5 to this interrogatory on the grounds that it is overbroad, unduly burdensome, and
 6 oppressive, and seeks documents and information that are neither relevant to any claims or
 7 defenses in this litigation nor reasonably calculated to lead to the discovery of admissible
 8 evidence.

9 Subject to and without limiting each of these objections, Samsung SDI will
 10 produce and identify non-privileged documents with responsive information located in the
 11 course of a reasonable search, including without limitation, as to documents produced to
 12 date, SDCRT-0002417-7660.

13 **INTERROGATORY NO. 6:**

14 Identify each instance during the Relevant Time Period in which You or any
 15 other producer of CRT and/or CRT Products, including the named defendants in this
 16 coordinated proceeding, instituted a price increase or decrease for CRT and/or CRT
 17 Products, and for each such instance:

- 18 (a) when such price increase or decrease was announced publicly;
- 19 (b) when such price increase or decrease was implemented;
- 20 (c) the amount of the price increase or decrease;
- 21 (d) whether such price increase or decrease was withdrawn;
- 22 (e) each person with responsibility for implementing such price increase
 23 or decrease or its withdrawal; and
- 24 (f) any explanation given for such price increase or decrease or
 25 withdrawal.

26 **RESPONSE TO INTERROGATORY NO. 6:**

27 In addition to its General Objections, Objections to Certain Definitions and
 28

1 Objections to Instructions, each of which is incorporated by this reference as though fully
2 set forth herein, Samsung SDI objects to this interrogatory to the extent that it seeks
3 privileged or immune information, including without limitation information subject to the
4 attorney-client privilege, common-interest privilege, work-product doctrine, joint defense
5 privilege, and/or relating to confidential plea or settlement negotiations, and/or any other
6 privilege or immunity. Samsung SDI further objects to this interrogatory on the grounds
7 that it is vague and ambiguous, including without limitation as to the phrase "instituted a
8 price increase or decrease" as used in this interrogatory. Samsung SDI also objects to this
9 interrogatory to the extent it seeks information regarding conduct outside the applicable
10 statute(s) of limitations and/or continuing to the present on the grounds that it is overbroad,
11 unduly burdensome, oppressive and seeks information that is neither relevant to any claims
12 or defenses in this litigation nor reasonably calculated to lead to the discovery of
13 admissible evidence. Samsung SDI further objects to this interrogatory to the extent it
14 seeks the discovery of information regarding the sale of CRTs or finished products
15 containing CRTs outside of the United States and unrelated to United States commerce, on
16 the grounds that it is overbroad, unduly burdensome, irrelevant, and not reasonably
17 calculated to lead to the discovery of admissible evidence. Such sales are beyond the
18 scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the
19 United States, and beyond the jurisdiction or reach of the laws of any State. Samsung SDI
20 also objects to this interrogatory to the extent it seeks information or documents in the
21 possession, custody or control of Plaintiffs, or that are equally or more readily available to
22 Plaintiffs from other defendants, third parties or otherwise. Samsung SDI further objects
23 to this interrogatory on the grounds that it is overbroad, unduly burdensome, and
24 oppressive, and seeks information that is neither relevant to any claims or defenses in this
25 litigation nor reasonably calculated to lead to the discovery of admissible evidence.

26 Subject to and without limiting each of these objections, Samsung SDI will
27 produce and identify non-privileged documents with responsive information located in the
28

1 course of a reasonable search.

2 **INTERROGATORY NO. 7:**

3 Identify and describe all joint ventures, partnerships or other cooperative
4 business relationships, during the Relevant Time Period, relating to CRT and/or CRT
5 Products between You and any other CRT or CRT Products producer.

6 **RESPONSE TO INTERROGATORY NO. 7:**

7 In addition to its General Objections, Objections to Certain Definitions and
8 Objections to Instructions, each of which is incorporated by this reference as though fully
9 set forth herein, Samsung SDI objects to this interrogatory on the grounds that it is vague
10 and ambiguous, including without limitation as to the phrases "joint ventures",
11 "partnerships" and "cooperative business relationships" as used in this interrogatory.
12 Samsung SDI also objects to this interrogatory to the extent it seeks information regarding
13 conduct outside the applicable statute(s) of limitations and/or continuing to the present on
14 the grounds that it is overbroad, unduly burdensome, oppressive and seeks information that
15 is neither relevant to any claims or defenses in this litigation nor reasonably calculated to
16 lead to the discovery of admissible evidence. Samsung SDI further objects to this
17 interrogatory to the extent it seeks the discovery of information regarding the sale of CRTs
18 or finished products containing CRTs outside of the United States and unrelated to United
19 States commerce, on the grounds that it is overbroad, unduly burdensome, irrelevant, and
20 not reasonably calculated to lead to the discovery of admissible evidence. Such sales are
21 beyond the scope of this litigation, outside the subject-matter jurisdiction of the antitrust
22 laws of the United States, and beyond the jurisdiction or reach of the laws of any State.
23 Samsung SDI also objects to this interrogatory to the extent it seeks information or
24 documents in the possession, custody or control of Plaintiffs, or that are equally or more
25 readily available to Plaintiffs from other defendants, third parties or otherwise. Samsung
26 SDI further objects to this interrogatory on the grounds that it is overbroad, unduly
27 burdensome, and oppressive, and seeks information that is neither relevant to any claims or
28

1 defenses in this litigation nor reasonably calculated to lead to the discovery of admissible
2 evidence, including without limitation information as to Samsung SDI's non-CRT
3 operations.

4 Subject to and without limiting each of these objections, Samsung SDI will
5 produce and identify non-privileged documents with responsive information located in the
6 course of a reasonable search.

7 **INTERROGATORY NO. 8:**

8 Identify every channel used by You to sell, market, or distribute CRT and/or
9 CRT Products during the Relevant Time Period. If You used different channels at different
10 points within the Relevant Time Period, identify when You used each channel to sell,
11 market, or distribute CRT and/or CRT Products.

12 **RESPONSE TO INTERROGATORY NO. 8:**

13 In addition to its General Objections, Objections to Certain Definitions and
14 Objections to Instructions, each of which is incorporated by this reference as though fully
15 set forth herein, Samsung SDI objects to this interrogatory on the grounds that it is vague
16 and ambiguous, including without limitation as to the term "channel" as used in this
17 interrogatory. Samsung SDI also objects to this interrogatory to the extent it seeks
18 information regarding conduct outside the applicable statute(s) of limitations and/or
19 continuing to the present on the grounds that it is overbroad, unduly burdensome,
20 oppressive and seeks information that is neither relevant to any claims or defenses in this
21 litigation nor reasonably calculated to lead to the discovery of admissible evidence.
22 Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of
23 information regarding the sale of CRTs or finished products containing CRTs outside of
24 the United States and unrelated to United States commerce, on the grounds that it is
25 overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the
26 discovery of admissible evidence. Such sales are beyond the scope of this litigation,
27 outside the subject-matter jurisdiction of the antitrust laws of the United States, and
28

1 beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this
2 interrogatory to the extent it seeks information or documents in the possession, custody or
3 control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other
4 defendants, third parties or otherwise.

5 Subject to and without limiting each of these objections, Samsung SDI will
6 produce and identify non-privileged documents with responsive information located in the
7 course of a reasonable search.

8 **INTERROGATORY NO. 9:**

9 Identify every channel used by you to purchase CRT and/or CRT Products
10 during the Relevant Time Period. If You used different channels at different points within
11 the Relevant Time Period, identify when You used each channel to purchase CRT or CRT
12 Products.

13 **RESPONSE TO INTERROGATORY NO. 9:**

14 In addition to its General Objections, Objections to Certain Definitions and
15 Objections to Instructions, each of which is incorporated by this reference as though fully
16 set forth herein, Samsung SDI objects to this interrogatory on the grounds that it is vague
17 and ambiguous, including without limitation as to the term "channel" as used in this
18 interrogatory. Samsung SDI also objects to this interrogatory to the extent it seeks
19 information regarding conduct outside the applicable statute(s) of limitations and/or
20 continuing to the present on the grounds that it is overbroad, unduly burdensome,
21 oppressive and seeks information that is neither relevant to any claims or defenses in this
22 litigation nor reasonably calculated to lead to the discovery of admissible evidence.
23 Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of
24 information regarding the sale of CRTs or finished products containing CRTs outside of
25 the United States and unrelated to United States commerce, on the grounds that it is
26 overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the
27 discovery of admissible evidence. Such sales are beyond the scope of this litigation,
28

1 outside the subject-matter jurisdiction of the antitrust laws of the United States, and
2 beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this
3 interrogatory to the extent it seeks information or documents in the possession, custody or
4 control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other
5 defendants, third parties or otherwise. SDI further objects to this interrogatory on the
6 grounds that it is overbroad, unduly burdensome, and oppressive, and seeks information
7 that is neither relevant to any claims or defenses in this litigation nor reasonably calculated
8 to lead to the discovery of admissible evidence, including without limitation information as
9 to Samsung SDI's non-CRT operations.

10 **INTERROGATORY NO. 10:**

11 Identify the CRT and/or CRT Products that You manufactured or produced
12 for each month within the Relevant Time Period, including the brand name, product
13 number, and intended use.

14 **RESPONSE TO INTERROGATORY NO. 10:**

15 In addition to its General Objections, Objections to Certain Definitions and
16 Objections to Instructions, each of which is incorporated by this reference as though fully
17 set forth herein, Samsung SDI objects to this interrogatory on the grounds that it is vague
18 and ambiguous, including without limitation as to the phrase "intended use" as used in this
19 interrogatory. Samsung SDI also objects to this interrogatory to the extent it seeks
20 information regarding conduct outside the applicable statute(s) of limitations and/or
21 continuing to the present on the grounds that it is overbroad, unduly burdensome,
22 oppressive and seeks information that is neither relevant to any claims or defenses in this
23 litigation nor reasonably calculated to lead to the discovery of admissible evidence.
24 Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of
25 information regarding the sale of CRTs or finished products containing CRTs outside of
26 the United States and unrelated to United States commerce, on the grounds that it is
27 overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the
28

1 discovery of admissible evidence. Such sales are beyond the scope of this litigation,
2 outside the subject-matter jurisdiction of the antitrust laws of the United States, and
3 beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this
4 interrogatory to the extent it seeks information or documents in the possession, custody or
5 control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other
6 defendants, third parties or otherwise.

7 Subject to and without limiting each of these objections, Samsung SDI will
8 produce and identify non-privileged documents with responsive information located in the
9 course of a reasonable search.

10 **INTERROGATORY NO. 11:**

11 Identify the CRT and/or CRT Products You sold, marketed, or distributed for
12 each month within the Relevant Time Period, including the brand name, product number,
13 and intended use.

14 **RESPONSE TO INTERROGATORY NO. 11:**

15 In addition to its General Objections, Objections to Certain Definitions and
16 Objections to Instructions, each of which is incorporated by this reference as though fully
17 set forth herein, Samsung SDI objects to this interrogatory on the grounds that it is vague
18 and ambiguous, including without limitation as to the phrase "intended use" as used in this
19 interrogatory. Samsung SDI also objects to this interrogatory to the extent it seeks
20 information regarding conduct outside the applicable statute(s) of limitations and/or
21 continuing to the present on the grounds that it is overbroad, unduly burdensome,
22 oppressive and seeks information that is neither relevant to any claims or defenses in this
23 litigation nor reasonably calculated to lead to the discovery of admissible evidence.
24 Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of
25 information regarding the sale of CRTs or finished products containing CRTs outside of
26 the United States and unrelated to United States commerce, on the grounds that it is
27 overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the
28

1 discovery of admissible evidence. Such sales are beyond the scope of this litigation,
2 outside the subject-matter jurisdiction of the antitrust laws of the United States, and
3 beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this
4 interrogatory to the extent it seeks information or documents in the possession, custody or
5 control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other
6 defendants, third parties or otherwise.

7 Subject to and without limiting each of these objections, Samsung SDI will
8 produce and identify non-privileged documents with responsive information located in the
9 course of a reasonable search.

10 **INTERROGATORY NO. 12:**

11 Provide Your sales of CRT and/or CRT Products to the United States and
12 globally for each month from January 1, 1991 to the present. For each month during this
13 period, state the volume of sales, the U.S. dollar value of sales, the unit sale price, the per
14 unit cost to produce CRT and/or CRT Products, the per unit cost to distribute CRT and/or
15 CRT Products (including overseas freight, tariff, customs, duties, inland freight, storage,
16 insurance, dealer commissions), and the per unit profit earned.

17 **RESPONSE TO INTERROGATORY NO. 12:**

18 In addition to its General Objections, Objections to Certain Definitions and
19 Objections to Instructions, each of which is incorporated by this reference as though fully
20 set forth herein, Samsung SDI objects to this interrogatory as vague and ambiguous,
21 including without limitation as to the term "cost". Samsung SDI also objects to this
22 interrogatory to the extent it seeks information that is properly the subject of expert
23 discovery, and is therefore premature, and/or to the extent that this interrogatory calls for
24 the disclosure of documents or information constituting or containing non-testifying expert
25 opinions protected from discovery pursuant to, *inter alia*, Fed. R. Civ. Proc. 26(b)(4)(B).
26 Samsung SDI further objects to this interrogatory to the extent it calls for the creation of
27 documents or data compilations that do not exist or are not ordinarily kept in the normal
28

1 course of business. Samsung SDI also objects to this interrogatory to the extent it seeks
2 information regarding conduct outside the applicable statute(s) of limitations and/or
3 continuing to the present on the grounds that it is overbroad, unduly burdensome,
4 oppressive and seeks information that is neither relevant to any claims or defenses in this
5 litigation nor reasonably calculated to lead to the discovery of admissible evidence.
6 Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of
7 information regarding the sale of CRTs or finished products containing CRTs outside of
8 the United States and unrelated to United States commerce, on the grounds that it is
9 overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the
10 discovery of admissible evidence. Such sales are beyond the scope of this litigation,
11 outside the subject-matter jurisdiction of the antitrust laws of the United States, and
12 beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this
13 interrogatory to the extent it seeks information or documents in the possession, custody or
14 control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other
15 defendants, third parties or otherwise. SDI further objects to this interrogatory on the
16 grounds that it is overbroad, unduly burdensome, and oppressive, and seeks information
17 that is neither relevant to any claims or defenses in this litigation nor reasonably calculated
18 to lead to the discovery of admissible evidence.

19 Subject to and without limiting each of these objections, Samsung SDI will
20 produce and identify non-privileged documents with responsive information located in the
21 course of a reasonable search, including without limitation, as to documents produced to
22 date, SDCRT-0000039-0001162; SDCRT-0002027; and SDCRT-0002028-2416.

23 **INTERROGATORY NO. 13:**

24 If You offered different prices to different markets, or on a spot market
25 versus contract basis, during the Relevant Time Period, so indicate in the statistical data
26 supplied in response to Interrogatory No. 6.

RESPONSE TO INTERROGATORY NO. 13:

In addition to its General Objections, Objections to Certain Definitions and Objections to Instructions, each of which is incorporated by this reference as though fully set forth herein, Samsung SDI objects to this interrogatory as vague and ambiguous, including without limitation as to the term "spot market". Samsung SDI further objects to this interrogatory to the extent it calls for the creation of documents or data compilations that do not exist or are not ordinarily kept in the normal course of business. Samsung SDI also objects to this interrogatory to the extent it seeks information regarding conduct outside the applicable statute(s) of limitations and/or continuing to the present on the grounds that it is overbroad, unduly burdensome, oppressive and seeks information that is neither relevant to any claims or defenses in this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of information regarding the sale of CRTs or finished products containing CRTs outside of the United States and unrelated to United States commerce, on the grounds that it is overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Such sales are beyond the scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the United States, and beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this interrogatory to the extent it seeks information or documents in the possession, custody or control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other defendants, third parties or otherwise. SDI further objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, and oppressive, and seeks information that is neither relevant to any claims or defenses in this litigation nor reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without limiting each of these objections, Samsung SDI will produce and identify non-privileged documents with responsive information located in the course of a reasonable search.

INTERROGATORY NO. 14:

Provide Your aggregate purchases (in both number of units and revenue in U.S. dollars) of CRT and/or CRT Products for each month from January 1, 1991 to the present.

RESPONSE TO INTERROGATORY NO. 14:

In addition to its General Objections, Objections to Certain Definitions and Objections to Instructions, each of which is incorporated by this reference as though fully set forth herein, Samsung SDI objects to this interrogatory as vague and ambiguous, including without limitation as to the term "CRT Products". Samsung SDI also objects to this interrogatory to the extent it seeks information regarding conduct outside the applicable statute(s) of limitations and/or continuing to the present on the grounds that it is overbroad, unduly burdensome, oppressive and seeks information that is neither relevant to any claims or defenses in this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Samsung SDI further objects to this interrogatory to the extent it seeks the discovery of information regarding the sale of CRTs or finished products containing CRTs outside of the United States and unrelated to United States commerce, on the grounds that it is overbroad, unduly burdensome, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence. Such sales are beyond the scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the United States, and beyond the jurisdiction or reach of the laws of any State. Samsung SDI also objects to this interrogatory to the extent it seeks information or documents in the possession, custody or control of Plaintiffs, or that are equally or more readily available to Plaintiffs from other defendants, third parties or otherwise. SDI further objects to this interrogatory on the grounds that it is overbroad, unduly burdensome, and oppressive, and seeks information that is neither relevant to any claims or defenses in this litigation nor reasonably calculated to lead to the discovery of admissible evidence.

1 **INTERROGATORY NO. 15:**

2 Provide Your aggregate purchases (in units and U.S. dollars) of CRT or CRT
3 Products from each of the other named defendants in this coordinated proceeding, for the
4 purpose of resale, for each month during from January 1, 1991 to the present.

5 **RESPONSE TO INTERROGATORY NO. 15:**

6 In addition to its General Objections, Objections to Certain Definitions and
7 Objections to Instructions, each of which is incorporated by this reference as though fully
8 set forth herein, Samsung SDI objects to this interrogatory as vague and ambiguous,
9 including without limitation as to the term "CRT Products". Samsung SDI also objects to
10 this interrogatory to the extent it seeks information regarding conduct outside the
11 applicable statute(s) of limitations and/or continuing to the present on the grounds that it is
12 overbroad, unduly burdensome, oppressive and seeks information that is neither relevant to
13 any claims or defenses in this litigation nor reasonably calculated to lead to the discovery
14 of admissible evidence. Samsung SDI further objects to this interrogatory to the extent it
15 seeks the discovery of information regarding the sale of CRTs or finished products
16 containing CRTs outside of the United States and unrelated to United States commerce, on
17 the grounds that it is overbroad, unduly burdensome, irrelevant, and not reasonably
18 calculated to lead to the discovery of admissible evidence. Such sales are beyond the
19 scope of this litigation, outside the subject-matter jurisdiction of the antitrust laws of the
20 United States, and beyond the jurisdiction or reach of the laws of any State. Samsung SDI
21 also objects to this interrogatory to the extent it seeks information or documents in the
22 possession, custody or control of Plaintiffs, or that are equally or more readily available to
23 Plaintiffs from other defendants, third parties or otherwise. SDI further objects to this
24 interrogatory on the grounds that it is overbroad, unduly burdensome, and oppressive, and
25 seeks information that is neither relevant to any claims or defenses in this litigation nor
26 reasonably calculated to lead to the discovery of admissible evidence.

1 **INTERROGATORY NO. 16:**

2 State whether any documents or information responsive to this set of
3 interrogatories were destroyed, discarded, erased, deleted, purged, or otherwise lost. If

4 Your answer is in any way in the affirmative:

5 (a) describe in detail the contents of each such document or information
6 and the date it was destroyed, discarded, erased, deleted, purged or lost;

7 (b) identify each person who had any role or responsibility in destroying,
8 discarding, erasing, purging, deleting or losing of each such document or information; and

9 (c) describe in detail the circumstances under which each such document
10 or information was destroyed, discarded, erased, deleted, purged, or lost.

11 **RESPONSE TO INTERROGATORY NO. 16:**

12 In addition to its General Objections, Objections to Certain Definitions and
13 Objections to Instructions, each of which is incorporated by this reference as though fully
14 set forth herein, Samsung SDI objects to this interrogatory to the extent that it seeks
15 privileged or immune information, including without limitation information subject to the
16 attorney-client privilege, common-interest privilege, work-product doctrine, joint defense
17 privilege, and/or relating to confidential plea or settlement negotiations, and/or any other
18 privilege or immunity. SDI further objects to this interrogatory on the grounds that it is
19 grossly overbroad, unduly burdensome, unreasonable and oppressive, and seeks
20 information that is neither relevant to any claims or defenses in this litigation nor
21 reasonably calculated to lead to the discovery of admissible evidence. Samsung SDI
22 objects to this interrogatory as an improper attempt to impose burdens upon Samsung SDI
23 that are not permitted by law, and greater obligations than those imposed under the Federal
24 Rules of Civil Procedure and the Local Rules of the District Court of the Northern District
25 of California.

26 Subject to and without limiting each of these objections, Samsung SDI
27 responds that it has complied with its obligations under the Federal Rules of Civil
28

1 Procedure to take reasonable steps to preserve potentially relevant information in
2 connection with Plaintiffs' actions.

3
4 DATED: May 12, 2010

5 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

6
7 By /s/ Michael W. Scarborough
8 MICHAEL W. SCARBOROUGH

9 Attorneys for Defendants
10 SAMSUNG SDI AMERICA, INC.,
11 SAMSUNG SDI CO., LTD.,
12 SAMSUNG SDI (MALAYSIA) SDN. BHD.,
13 SAMSUNG SDI MEXICO S.A. DE C.V.,
14 SAMSUNG SDI BRASIL LTDA.,
15 SHENZEN SAMSUNG SDI CO., LTD. and
16 TIANJIN SAMSUNG SDI CO., LTD.
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

I, Yongtae Kim, am a Senior Manager, Samsung SDI Co., Ltd., and am authorized to make this Verification on Samsung SDI's behalf. I have read the attached Samsung SDI Defendants' Responses to Direct Purchaser Plaintiffs' First Set of Interrogatories, and know its contents. I am informed and believe that the matters and things stated therein are true, and upon that ground allege that the matters and things stated therein are true.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 12, 2010, at Yongin-si, Korea.



[Yongtae Kim]

Exhibit 2

Counsel Listed on Signature Block

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. C07-5944 SC
MDL No. 1917

This Document Relates to:
ALL ACTIONS

**STIPULATION AND ~~PROPOSED~~
ORDER FOR LIMITED DISCOVERY
STAY**

WHEREAS these consolidated civil cases arise from an alleged conspiracy in violation of the Sherman Act to fix the prices of Cathode Ray Tubes ("CRTs") and finished products containing CRTs ("CRT products")¹;

WHEREAS there is an ongoing criminal grand jury investigation involving the products at issue in this case;

WHEREAS the United States has filed a Motion for a Limited Stay of Discovery;

WHEREAS the parties have met and conferred on the scope of a limited discovery stay;

PLAINTIFFS, DEFENDANTS, AND THE UNITED STATES, BY AND THROUGH THEIR UNDERSIGNED COUNSEL, HEREBY STIPULATE AND AGREE AS FOLLOWS:

1. This Stipulation and Order shall limit discovery in these consolidated cases during the six (6) month period following entry of the Stipulation and Order by the Court,

¹ Any reference to products containing CRTs is not intended to have any bearing on the legal question of whether purchasers of those products are proper class members. By agreeing to provide certain discovery of CRT products by way of this stipulation, the parties agree that defendants have not waived their right to contest further discovery of documents and information relating to CRT products.

1 unless extended by the Court upon motion.

2 2. During the limited discovery stay, no discovery shall be conducted in this
3 case (including, without limitation, document requests, interrogatories, requests to admit, or
4 depositions) that reflects, refers to, or relates to any understandings, agreements, contacts,
5 meetings, or communications, between or among any manufacturers of CRTs or CRT
6 products, relating to the sale, pricing, production, volume, market share, customers,
7 capacity, or distribution of CRTs or CRT products.

8 3. During the limited discovery stay, no discovery shall be conducted in this
9 case (including, without limitation, document requests, interrogatories, requests to admit, or
10 depositions) that reflects, refers to, or relates to grand jury proceedings concerning CRTs or
11 CRT products, including any party's or witness's communications with the United States,
12 or with the grand jury investigating CRTs or CRT products, except by the order of the
13 Court upon good cause shown and consistent with governing law.

14 4. To the extent consistent with the above, the following discovery is permitted
15 during the limited discovery stay:

- 16 a. plaintiffs are entitled to seek document discovery from third party
17 organizations, including trade associations, that collect market
18 information about CRTs and CRT products, limited to the subjects set
19 forth in this paragraph 4;
- 20 b. the undersigned defendants shall produce documents sufficient to show
21 the dollar and/or unit amount of purchases and/or sales of CRTs and/or
22 CRT products in the United States by defendants from or to third
23 parties, from or to other defendants, or by or between a defendant's
24 subsidiaries, joint ventures, or affiliates, and either documents
25 sufficient to show, or written answers disclosing, the identity of the
26 undersigned defendants' customers and/or distributors of CRTs and/or
27 CRT products in the United States;
- 28 c. the undersigned defendants shall produce documents sufficient to show

1 the dollar and/or unit amount of sales of CRTs and/or CRT products in
2 the United States to putative class members;

3 d. plaintiffs are entitled to seek discovery of defendants' (including their
4 subsidiaries, joint ventures, and affiliates) production capacity,
5 capacity utilization, production costs, inventory levels, sales volumes,
6 product lines, profitability, competitive position, market share, sales
7 terms and conditions, costs, process, and shipments for CRTs or CRT
8 products; the rules and procedures governing such discovery are set
9 forth in paragraph 12.

10 e. the undersigned defendants shall produce either documents sufficient
11 to show, or written answers disclosing, the identities of persons in
12 positions of management or control of defendants' respective CRT
13 operations, including any directors, officers, managing agents and
14 employees; discovery may seek narrative answers, which include the
15 names, positions, dates of employment, tenure and addresses for each
16 person identified during the class period;

17 f. the undersigned defendants shall produce either documents sufficient
18 to show, or written answers disclosing, the storage, location, retention,
19 destruction or identity of relevant corporate records; and

20 g. to the extent that any defendant takes the position that no discovery
21 should go forward against it because the Court lacks personal
22 jurisdiction over that defendant, plaintiffs shall be allowed to seek
23 discovery relating to the issue of personal jurisdiction over that
24 defendant, but notwithstanding the above, that defendant reserves all
25 objections to all discovery against it on any subject. Defendants who
26 intend to assert such a personal jurisdiction defense shall serve a short
27 statement explaining the basis for their position by October 15, 2008.

28 Neither executing this Stipulation and Order nor complying with its

1 terms, including, but not limited to, serving the short statement
2 referenced herein shall constitute a waiver of an undersigned
3 defendant's jurisdictional defense.

4 5. After the filing of consolidated amended complaints and the resolution of
5 motions to dismiss, class certification discovery is permitted, except as prohibited by the
6 other terms of this Stipulation and Order.

7 6. This Stipulation and Order does not prohibit the service of interrogatories,
8 requests for admissions, requests for production of documents, or third party document
9 subpoenas, as set forth in paragraph 4(a) above, except to the extent that such discovery
10 requires the production of discovery which is stayed hereunder. No deposition discovery,
11 discovery of emails or email searches shall take place during the stay period.

12 7. All formal discovery requests shall be served on the United States at least
13 three weeks before the discovery is due to be produced. Any party and/or the United States
14 may object to discovery on the basis that the requested discovery seeks information or
15 documents prohibited by this Stipulation and Order.

16 8. Any party and/or the United States can request a modification of this
17 Stipulation and Order upon a showing of good cause.

18 9. The United States shall report to the Court on the status of the grand jury
19 investigation and/or file a motion with the Court to extend the stay by January 30, 2009.
20 On March 6, 2009, the Court shall conduct a Status Conference and/or hear any motion to
21 extend the stay.

22 10. No undersigned defendant who has agreed to produce discovery pursuant to
23 paragraph 4 above shall move for a stay of that agreed-to discovery on any grounds,
24 including under *Bell Atlantic Corp. v. Twombly*, 127 S. Ct. 1955 (2007). All defendants
25 reserve their rights to argue for a stay of any other discovery on any grounds.

26 11. On June 11, 2008, plaintiffs provided to defendants a list of those defendant
27 entities that had previously been named in the direct and indirect purchaser complaints. By
28 September 15, 2008, each defendant shall confirm the proper names of the listed entities

1 that were involved in its CRT business. To the extent the previously filed complaints
2 erroneously named an entity that was not in the CRT business and/or did not use the correct
3 name for an entity, defendants shall so advise and provide the correct name for such entity.
4 By September 30, 2008, plaintiffs shall inform each defendant whether plaintiffs intend to
5 name the defendant in the consolidated amended complaints. Those defendants who will
6 not be named in the consolidated amended complaints shall have no discovery obligations
7 pursuant to this Stipulation and Order.

8 12. Paragraph 4 of this Stipulation and Order shall constitute a request for
9 production of documents by plaintiffs' counsel, consistent with, and governed by, the
10 Federal Rules of Civil Procedure (including the definition of "possession, custody, or
11 control"), on all defendants for production of documents sufficient to show the information
12 requested under paragraph 4(b-f) above. Attached hereto as Appendix A is a description of
13 the agreements that some of the undersigned defendants have reached about discovery
14 which they will produce pursuant to paragraph 4(d) above. All of the discovery that the
15 undersigned defendants have agreed to produce pursuant to paragraph 4(d) above, as set
16 forth in Appendix A, as well as the information required by paragraph 4(b), (c), (e) and (f),
17 shall be produced by the undersigned defendants, without any objection, by November 14,
18 2008. If plaintiffs seek any other discovery pursuant to paragraph 4 against the undersigned
19 defendants, defendants reserve all objections to such additional discovery. Defendants who
20 have not signed this stipulation reserve all objections to any discovery under paragraph 4
21 above against them and plaintiffs reserve all rights to seek discovery against such
22 defendants consistent with this Stipulation and Order. Any non-signing defendant who
23 intends to oppose any discovery under paragraph 4 above shall file their written objections
24 to such discovery by October 15, 2008. Any defendant who has not made an agreement to
25 produce documents in response to paragraph 4(d) above, as set forth in Appendix A, shall
26 file its objections to such paragraph 4(d) discovery by October 15, 2008.

27 13. Direct purchaser and indirect purchaser plaintiffs shall file consolidated
28 amended complaints by March 16, 2009.

1 14. During the term of this Stipulation and Order, the relevant time period for
 2 discovery allowed hereunder shall extend back no further than the year 2000 for all parties,
 3 to the extent defendants possess responsive information extending back to the year 2000.

4 This paragraph is without prejudice to the position of any party as to what the relevant
 5 discovery period is upon the lifting of the stay and the commencement of full discovery.

6 15. After the plaintiffs' consolidated amended complaints are filed, the parties
 7 shall meet and confer about a schedule for motions to dismiss.

8 16. Defendants may join this Stipulation and Order after the date of its execution
 9 by notifying plaintiffs in writing of their intention to do so.

10
 11 Dated: September 11, 2008

By: /s/ Jeffrey L. Kessler
 JEFFREY L. KESSLER (pro hac vice)
 Email: jkessler@dl.com
 A. PAUL VICTOR (pro hac vice)
 Email: pvictor@dl.com
 EVA W. COLE (pro hac vice)
 Email : ecol@dl.com
 DEWEY & LEBOEUF LLP
 1301 Avenue of the Americas
 New York, NY 10019
 Telephone: (212) 259-8000
 Facsimile: (212) 259-7013

STEVEN A. REISS (pro hac vice)
 Email: steven.reiss@weil.com
 DAVID L. YOHAI (pro hac vice)
 Email: david.yohai@weil.com
 WEIL, GOTSHAL & MANGES LLP
 767 Fifth Avenue
 New York, New York 10153-0119
 Telephone: (212) 310-8000
 Facsimile: (212) 310-8007

GREGORY D. HULL (57367)
 Email: greg.hull@weil.com
 JOSEPH R. WETZEL (238008)
 Email: joseph.wetzel@weil.com
 WEIL, GOTSHAL & MANGES LLP
 201 Redwood Shores Parkway
 Redwood Shores, California 94065-1175
 Telephone: (650) 802-3000
 Facsimile: (650) 802-3100

*Attorneys for Defendants Panasonic
 Corporation of North America, MT Picture*

1 **Display**
2 **Corporation of America (NY) (defunct), MT**
3 **Picture Display Co., Ltd. and Matsushita**
4 **Electric Industrial Co.**

5 By: /s/ Gary Halling
6 GARY L. HALLING, Bar No. 66087
7 ghalling@sheppardmullin.com
8 JAMES L. MCGINNIS, Bar No. 95788
9 jmcginnis@sheppardmullin.com
10 MICHAEL SCARBOROUGH, Bar No. 203524
11 mscarborough@sheppardmullin.com
12 SHEPPARD, MULLIN, RICHTER &
13 HAMPTON LLP
14 Four Embarcadero Center, 17th Floor
15 San Francisco, California 94111-4109
16 Telephone: 415-434-9100
17 Facsimile: 415-434-3947

18 **Attorneys for Defendants**
19 **Samsung SDI America, Inc. and Samsung SDI**
20 **Co., Ltd.**

21 By: /s/ Samuel Miller
22 SAMUEL R. MILLER
23 Email: srmiller@sidley.com
24 RYAN SANDROCK
25 Email: rsandrock@sidley.com
26 SIDLEY AUSTIN LLP
27 555 California Street
28 San Francisco, CA 94104
Telephone : (415) 772-1200
Facsimile: (415) 772-7400

Attorneys for Defendants LG Electronics, Inc.
and LG Electronics USA, Inc.

By: /s/ Michael Lazerwitz
MICHAEL R. LAZERWITZ (pro hac vice)
Email: mlazerwitz@cgsh.com
CLEARY GOTTLIEB STEEN & HAMILTON
LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 974-1679
Facsimile: (202) 974-1999

Attorneys for Direct Purchaser Defendant LP
Displays International Ltd.

1 By: /s/ Joel S. Sanders
2 JOEL S. SANDERS
3 Email: jsanders@gibsondunn.com
4 JOSHUA HESS
5 Email: jhess@gibsondunn.com
6 GIBSON, DUNN & CRUTCHER
7 One Montgomery Street, Suite 3100
8 San Francisco, CA 94104
9 Telephone: (415) 393-8200
10 Facsimile: (415) 986-5309

Attorneys for Chunghwa Picture Tubes, Ltd.

8 By: /s/ Ethan Litwin
9 ETHAN E. LITWIN(pro hac vice)
10 Email: LitwinE@howrey.com
11 HOWREY LLP
12 153 East 53rd Street, 54th Floor
13 New York, NY 10022
14 Telephone: (212) 896-6500
15 Facsimile: (212) 896-6501

13 JOSEPH A. OSTOYICH (pro hac vice)
14 Email: OstoyichJ@howrey.com
15 HOWREY LLP
16 1299 Pennsylvania Avenue, N.W.
17 Washington, D.C. 20004-2402
18 Telephone: (202) 783-0800
19 Facsimile: (202) 383-6610

*Attorneys for Defendant Philips Electronics
North America Corporation and Koninklijke
Philips Electronics N.V.*

19 By: /s/ Anthony Viola
20 ANTHONY J. VIOLA (pro hac vice)
21 Email: aviola@eapdlaw.com
22 BARRY BENDES (pro hac vice)
23 Email: bbendes@eapdlaw.com
24 JOSEPH CZERNIAWSKI (pro hac vice)
25 Email: jczerniawski@eapdlaw.com
26 EDWARDS ANGELL PALMER & DODGE
27 LLP
28 750 Lexington Avenue
New York, NY 10022
Telephone: (212) 308-4411
Facsimile: (212) 308-4844

26 DAVID W. EVANS
27 Email: devans@hbblaw.com
28 HAIGHT BROWN & BONESTEEL LLP
71 Stevenson Street, 20th Floor
San Francisco, CA 94105-2981

Telephone: (415) 546-7500
Facsimile: (415) 546-7505

***Attorneys for Defendant Orion America, Inc.
and Orion Electric Co., Ltd.***

By: /s/ Bruce H. Jackson
Bruce H. Jackson (State Bar No. 98118)
(bruce.h.jackson@bakernet.com)
Robert W. Tarun (State Bar No. 64881)
(robert.w.tarun@bakernet.com)
Nancy C. Allred (State Bar No. 245736)
(nancy.c.allred@bakernet.com)
BAKER & MCKENZIE LLP
Two Embarcadero Center, 11th Floor
San Francisco, CA 94111-3802
Telephone: +1 415 576 3000
Facsimile: +1 415 576 3099

Patrick J. Ahern (pro hac vice)
(patrick.j.ahern@bakernet.com)
Roxane C. Busey (pro hac vice)
(roxane.c.busey@bakernet.com)
Karen Sewell (pro hac vice)
(karen.sewell@bakernet.com)
BAKER & MCKENZIE LLP
130 E. Randolph Dr., Suite 3500
Chicago, IL 60601
Telephone: +1 312 861 8000

Attorneys for Tatung Company of America, Inc.

By: /s/ Thomas R. Green
Kent M. Roger (State Bar No. 95987)
(kroger@morganlewis.com)
Thomas R. Green (State Bar No. 203480)
(tgreen@morganlewis.com)
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: (415) 442-1000
Fax: (415) 442-1001

***Attorneys for Defendants Hitachi, Ltd., Hitachi
Asia, Ltd., Hitachi America, Ltd. and Hitachi
Electronic Devices (USA), Inc.***

1 By: /s/ Guido Saveri
2 Guido Saveri (41059) guido@saveri.com
3 R. Alexander Saveri (173102) rick@saveri.com
4 Cadio Zirpoli (179108) cadio@saveri.com
5 **SAVERI & SAVERI INC.**
6 111 Pine Street, Suite 1700
7 San Francisco, CA 94111-5619
8 Telephone: (415)217-6810
9 Facsimile: (415)217-6813

10 ***Interim Lead Counsel for the Direct Purchaser***
11 ***Plaintiffs***

12 By: /s/ Mario N. Alioto
13 Mario N. Alioto (56433) malimoto@tatp.com
14 Lauren C. Russell (241151)
15 lauren russell@tatp.com
16 **TRUMP, ALIOTO, TRUMP & PRESCOTT,**
17 **LLP**
18 2280 Union Street
19 San Francisco, California 94123
20 Telephone: (415) 563-7200
21 Facsimile: (415) 346-0679

22 ***Interim Lead Counsel for the Indirect***
23 ***Purchaser Plaintiffs***

24 By: /s/ Jeane Hamilton
25 Jeane Hamilton
26 Jeane.Hamilton@usdoj.gov
27 Lidia Maher
28 Lidia.Maher@usdoj.gov
U.S. Department of Justice,
Antitrust Division
450 Golden Gate Avenue
Box 36046
San Francisco, CA 94102
Telephone: (415) 436-6660
Facsimile: (415) 436-6687

Attorneys for United States

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: Sept. 12 '08



Honorable Samuel Conti
UNITED STATES DISTRICT JUDGE

Appendix A to Stipulation and [Proposed] Order for Limited Discovery Stay

Entities	Agreement to Produce the Following Discovery Pursuant to Paragraph 4(d) of Stipulation and [Proposed] Order for Limited Discovery Stay
Matsushita Electric Industrial Co., Ltd.; MT Picture Display Co., Ltd.; MT Picture Display Corporation of America (NY) (defunct); Panasonic Corporation of North America	<ol style="list-style-type: none"> (1) Consolidated results for CRT divisions and subsidiaries, which set forth certain sales and profit numbers for both domestic and overseas CRT subsidiaries. (2) Cumulative P/Ls on an annual basis for CRT divisions and subsidiaries, which include, among other things, the following types of information: (i) production quantities; (ii) sales quantities; (iii) various types of cost and profit information, including information on certain costs which are characterized in the documents as variable costs and fixed expenses. (3) Capacity and capacity utilization for CRT factories.
Samsung SDI America, Inc.; Samsung SDI Co., Ltd.	<ol style="list-style-type: none"> (1) Publicly available English language annual reports and audited financial statements for the CRT business, available from at least 2001. (2) Summary report materials in several different formats, but primarily in chart format with some explanatory text, primarily in Korean, and containing what appear to be the kinds of materials that would be displayed at executive level strategy meetings, including production, market share, and capacity information, among other subjects, for the CRT business.

Entities	Agreement to Produce the Following Discovery Pursuant to Paragraph 4(d) of Stipulation and [Proposed] Order for Limited Discovery Stay
Chunghwa Picture Tubes, Ltd.	<ul style="list-style-type: none">(1) Publicly available annual reports and audited financial statements. These are available from 2002 (there may be others available before that time).(2) Presentations made at quarterly investor relations conferences.(3) Third-party reports regarding CRTs.
Philips Electronics North America Corporation	<ul style="list-style-type: none">(1) Public annual reports.(2) Public financial statements for the top line entities.(3) Capacity information regarding Philips' former CRT plants as of the date of divestiture in 2001.

Exhibit 3

6/24

Counsel Listed on Signature Block

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

No. C07-5944 SC
MDL No. 1917

Date: March 6, 2009
Time: TBD
Court: Hon. Samuel Conti

This Document Related to All Cases

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND LIMITED DISCOVERY STAY**

WHEREAS the Court, on September 12, 2008, entered an Order pursuant to Stipulation, granting a Limited Stay of Discovery for six (6) months, which will expire on March 12, 2009 ("September 12, 2008 Stay Order");

WHEREAS there is an ongoing criminal grand jury investigation involving the products at issue in this case;

WHEREAS the September 12, 2008 Stay Order required the United States to report to the Court on the status of the grand jury investigation and/or file a motion with the Court to extend the stay by January 30, 2009;

WHEREAS the parties have met and conferred and agreed to request modification and extension of the September 12, 2008 Stay Order;

PLAINTIFFS, DEFENDANTS, AND THE UNITED STATES, BY AND THROUGH THEIR UNDERSIGNED COUNSEL, HEREBY STIPULATE AND AGREE AS FOLLOWS:

STIPULATION AND [PROPOSED] ORDER TO EXTEND LIMITED DISCOVERY STAY
Case No. C07-5944 SC

1 1. This Stipulation and Order shall extend the September 12, 2008 Stay Order until
2 September 11, 2009 ("Stay Period"), unless further extended by the Court upon motion for good
3 cause shown.

4 2. That Paragraph 6 of the September 12, 2008 Stay Order shall be modified and
5 replaced in its entirety with the following new Paragraph 6:

6 (a) This Stipulation and Order does not prohibit the service of interrogatories,
7 requests for admissions, requests for production of documents, or third party document
8 subpoenas, as set forth in paragraph 4(a) above, except to the extent that such discovery
9 requires the production of discovery which is stayed hereunder. No discovery of emails
10 or email searches shall take place during the Stay Period.

11 (b) No deposition discovery may be taken until September 12, 2009.
12 Thereafter, until January 4, 2010, no deposition discovery may be taken, except that
13 depositions may be taken of defendants' customers or suppliers, or their employees,
14 provided in any case that the deponent is not a defendant or a subsidiary or affiliate of a
15 defendant, or an employee, agent, or former employee of any of them. Such deposition
16 subpoenas may include requests for documents to be produced by the deponent at the
17 deposition, provided that no document requests may request the identification of
18 documents produced in response to a grand jury subpoena or the production of documents
19 disclosing the contents of the witness' testimony, if any, before the grand jury or
20 communications with the United States relating to the grand jury proceedings.

21 3. Upon termination of the Stay Period, each defendant who has appeared in this
22 case and produced documents to the grand jury shall produce to the other parties (to the extent
23 they or their claims have not been dismissed) all documents produced to the grand jury without a
24 discovery request. Every 90 days thereafter each served defendant who has appeared in this case
25 and produced documents to the grand jury shall produce to the other parties (to the extent they or
26 their claims have not been dismissed), on a rolling basis, all documents produced to the grand
27 jury the preceding 90 days.

1 Dated: January 30, 2009

By: /s/Jeffrey L. Kessler
JEFFREY L. KESSLER (pro hac vice)
Email: jkessler@dl.com
A. PAUL VICTOR (pro hac vice)
Email: pvictor@dl.com
EVA W. COLE (pro hac vice)
Email: ecole@dl.com
DEWEY & LEBOEUF LLP
1301 Avenue of the Americas
New York, New York 10019
Telephone: (212) 259-8000
Facsimile: (212) 259-7013

STEVEN A. REISS (pro hac vice)
Email: steven.reiss@weil.com
DAVID L. YOHAI (pro hac vice)
Email: david.yohai@weil.com
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153-0119
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

GREGORY D. HULL (57367)
Email: greg.hull@weil.com
JOSEPH R. WETZEL (238008)
Email: joseph.wetzel@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, California 94065-1175
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

*Attorneys for Defendants Panasonic Corporation
of North America, MT Picture Display
Corporation of America (NY) (defunct); MT
Picture Display Co., Ltd. and Panasonic
Corporation (f/k/a Matsushita Electric Industrial
Co.)*

By: /s/Gary L. Halling
GARY L. HALLING (66087)
Ghalling@sheppardmullin.com
JAMES L. MCGINNIS (95788)
Jmcginnis@sheppardmullin.com
MICHAEL SCARBOROUGH (203524)
Mscarborough@sheppardmullin.com
**SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP**
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
Telephone: (415) 434-9100
Facsimile: (415) 434-3947

28
STIPULATION AND [PROPOSED] ORDER TO EXTEND LIMITED DISCOVERY STAY
Case No. C07-5944 SC

***Attorneys for Defendants
Samsung SDI America, Inc. and Samsung SDI
Co., Ltd.***

By: /s/Samuel R. Miller
SAMUEL R. MILLER
Email: srmiller@sidley.com
RYAN SANDROCK
Email: rsandrock@sidley.com
SIDLEY AUSTIN LLP
555 California Street
San Francisco, CA 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7400

***Attorneys for Defendants LG Electronics, Inc.
and LG Electronics USA, Inc.***

By: /s/Joel S. Sanders
JOEL S. SANDERS
Email: jsanders@gibsondunn.com
JOSHUA HESS
Email: jhess@gibsondunn.com
GIBSON, DUNN & CRUTCHER
555 Mission Street, Suite 3000
San Francisco, CA 94105
Telephone: (415) 393-8200
Facsimile: (415) 986-5309

Attorneys for Chunghwa Picture Tubes, Ltd.

By: /s/Ethan E. Litwin
ETHAN E. LITWIN (pro hac vice)
Email: LitwinE@howrey.com
HOWREY LLP
153 East 53rd Street, 54th Floor
New York, NY 10022
Telephone: (212) 896-6500
Facsimile: (212) 896-6501

By: /s/Joseph A. Ostoyich
JOSEPH A. OSTOYICH (pro hac vice)
Email: OstoyichJ@howrey.com
HOWREY LLP
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
Telephone: (202) 783-0800
Facsimile: (202) 383-6610

***Attorneys for Defendant Philip Electronics
North America Corporation and Koninklijke
Philips Electronics N.V.***

By: /s/Anthony J. Viola

1 ANTHONY J. VIOLA (pro hac vice)
2 Email: aviola@eapdlaw.com
3 BARRY BENDES (pro hac vice)
4 Email: bbenDES@eapdlaw.com
5 JOSEPH CZERNIAWSKI (pro hac vice)
6 Email: jczerniawski@eapdlaw.com
7 **EDWARDS ANGELL PALMER & DODGE**
8 **LLP**
9 750 Lexington Avenue
10 New York, NY 10022
11 Telephone: (212) 308-4411
12 Facsimile: (212) 308-4844

13 DAVID W. EVANS
14 E-mail: devans@hbblaw.com
15 **HAIGHT BROWN & BONESTEEL LLP**
16 71 Stevenson Street, 20th Floor
17 San Francisco, CA 94105-2981
18 Telephone: (415) 546-7500
19 Facsimile: (415) 546-7505

20 *Attorneys for Defendant Orion America, Inc.*
21 *and Orion Electric Co., Ltd.*

22 By: /s/Bruce H. Jackson
23 BRUCE H. JACKSON (98118)
24 Email: bruce.h.jackson@bakernet.com
25 ROBERT W. TARUN (64881)
26 Email: robert.w.tarun@bakernet.com
27 NANCY C. ALLRED (245736)
28 Email: nancy.c.allred@bakernet.com
BAKER & MCKENZIE LLP
Two Embarcadero Center, 11th Floor
San Francisco, CA 94111-3802
Telephone: (415) 576-3000
Facsimile: (415) 576-3099

PATRICK J. AHERN (pro hac vice)
Email: patrick.j.ahern@bakernet.com
ROXANE C. BUSEY (pro hac vice)
Email: roxane.c.busey@bakernet.com
KAREN SEWELL (pro hac vice)
Email: karen.sewell@bakernet.com
BAKER & MCKENZIE LLP
130 E. Randolph Dr., Suite 3500
Chicago, IL 60601
Telephone: (312) 861-8000

Attorneys for Tatung Company of America, Inc.

By: /s/Kent M. Roger
KENT M. ROGER (95987)
Email: kroger@morganlewis.com
THOMAS R. GREEN (203480)

1 Email: tgreen@morganlewis.com
2 **MORGAN, LEWIS & BOCKIUS LLP**
3 One Market, Spear Street Tower
4 San Francisco, CA 94105-1126
5 Telephone: (415) 442-1000
6 Facsimile: (415) 442-1001

***Attorneys for Defendants Hitachi, Ltd., Hitachi
Asia, Ltd., Hitachi America, Ltd. and Hitachi
Electronic Devices (USA), Ltd.***

7 By: /s/Brendan P. Cullen
8 **BRENDAN P. CULLEN (194057)**
9 Email: cullenb@sullcrom.com
10 **JASON DE BRETTEVILLE (195069)**
11 Email: debrettevillej@sullcrom.com
12 **LAURA E. KABLER (241281)**
13 Email: kablerl@sullcrom.com
14 **SULLIVAN & CROMWELL LLP**
15 1870 Embarcadero Road
16 Palo Alto, California 94303
17 Telephone: (650) 461-5600
18 Facsimile: (650) 461-5700

Attorneys for Defendant Thomson S.A.

19 By: /s/Guido Saveri
20 **GUIDO SAVERI (41059)**
21 Email: guido@saveri.com
22 **R. ALEXANDER SAVERI (173102)**
23 Email: rick@saveri.com
24 **CADIO ZIRPOLI (179108)**
25 Email: cadio@saveri.com
26 **SAVERI & SAVERI INC.**
27 706 Sansome Street
28 San Francisco, CA 94111
Telephone: (415) 217-6810
Facsimile: (415) 217-6813

***Interim Lead Counsel for the Direct Purchaser
Plaintiffs***

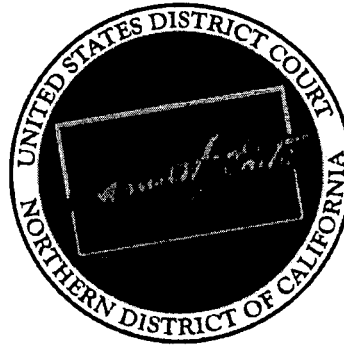
By: /s/Mario N. Alioto
MARIO N. ALIOTO (56433)
Email: malioto@tatp.com
LAUREN C. RUSSELL (241151)
Email: lauren russell@tatp.com
**TRUMP, ALIOTO, TRUMP & PRESCOTT,
LLP**
2280 Union Street
San Francisco, CA 94123
Telephone: (415) 563-7200

Facsimile: (415) 346-0679

***Interim Lead Counsel for the Indirect
Purchaser Plaintiffs***

By: /s/Lidia Maher
LIDIA MAHER (222253)
Email: Lidia.Maher@usdoj.gov
BARBARA NELSON (87952)
Email: Barbara.Nelson@usdoj.gov
JEANE HAMILTON (157834)
Email: Jeane.Hamilton@usdoj.gov
MAY LEE HEYE (209366)
Email: May.Heye@usdoj.gov
ANNA TRYON PLETCHER (239730)
Email: Anna.Pletcher@usdoj.gov
**U.S. DEPARTMENT OF JUSTICE,
ANTITRUST DIVISION**
450 Golden Gate Avenue
Box 36046
San Francisco, California 94102
Telephone: (415) 436-6660
Facsimile: (415) 436-6687

Attorneys for the United States



PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Samuel Conti
UNITED STATES DISTRICT JUDGE

STIPULATION AND [PROPOSED] ORDER TO EXTEND LIMITED DISCOVERY STAY
Case No. C07-5944 SC

Exhibit 4

Counsel Listed on Signature Block

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

No. M-07-5944 SC
MDL No. 1917

Court: Hon. Samuel Conti

This Document Related to All Cases

**STIPULATION AND [PROPOSED] ORDER
TO EXTEND LIMITED DISCOVERY STAY**

WHEREAS the Court, on September 12, 2008, entered an Order pursuant to Stipulation, granting a Limited Stay of Discovery for six (6) months, which was to expire on March 12, 2009 ("September 12, 2008 Stay Order");

WHEREAS the Court, on February 5, 2009, entered an Order pursuant to Stipulation modifying and extending the September 12, 2008 Stay Order until September 11, 2009, with limitations on deposition discovery continuing until January 4, 2010 ("February 5, 2009 Stay Order");

WHEREAS on June 8, 2009, Special Master Charles A. Legge, entered an Order further

STIPULATION AND [PROPOSED] ORDER TO EXTEND LIMITED DISCOVERY STAY
Case No. M-07-5944 SC

1 extending the February 5, 2009 Stay Order, "until such time as the Court has issued its
2 decision(s) on the various motions to dismiss that were filed on May 18, 2009 ("June 8, 2009
3 Stay Order");

4 WHEREAS there is an ongoing criminal grand jury investigation involving the products
5 at issue in this case;

6 WHEREAS the parties have met and conferred and agreed to request modification and
7 extension of the September 12, 2008, February 5, 2009, and June 8, 2009 Stay Orders;

8 PLAINTIFFS, DEFENDANTS, AND THE UNITED STATES, BY AND THROUGH
9 THEIR UNDERSIGNED COUNSEL, HEREBY STIPULATE AND AGREE AS FOLLOWS:

10 That Paragraph 3 of the September 12, 2008 Stay Order shall be modified and replaced
11 in its entirety with the following new Paragraph 3:

12 During the pendency of the grand jury proceedings and any resulting criminal
13 trials, no discovery shall be conducted in this case (including, without limitation,
14 document requests, interrogatories, requests to admit, or depositions) that reflects, refers
15 to, or relates to grand jury proceedings concerning CRTs or CRT products, including any
16 party's or witness's communications with the United States, or with any grand jury
17 investigating CRTs or CRT products, except by the order of the Court upon good cause
18 shown and consistent with governing law.

19 That Paragraph 5 of the June 8, 2009 Stay Order shall be modified and that Paragraph
20 2(b) of the February 5, 2009 Stay Order shall be modified and replaced in its entirety with the
21 following new Paragraph 2(b):

22 The Stay Period, as defined in paragraph 1 of the February 5, 2009 Stay Order,
23 shall be extended until March 8, 2010. Moreover, no deposition discovery may be taken
24 until November 1, 2010, with the following exception: Beginning on March 8, 2010,
25 depositions may be taken of defendants' customers or suppliers, or their employees,
26 provided in any case that the deponent is not a defendant or a subsidiary or affiliate of a
27 defendant, or an employee, agent, or former employee of any of them. Such deposition
28 subpoenas may include requests for documents to be produced by the deponent at the

1 deposition, provided that no document requests may request the production of
 2 documents disclosing the contents of the witness' testimony, if any, before the grand jury
 3 or communications with the United States that reflect, refer to, or relate to the grand jury
 4 proceedings.

5
 6 **IT IS SO STIPULATED.**

7 Dated: December 22, 2009

By: /s/ Jeffrey L. Kessler
 JEFFREY L. KESSLER (*pro hac vice*)
 Email: jkessler@dl.com
 A. PAUL VICTOR (*pro hac vice*)
 Email: pvictor@dl.com
 EVA W. COLE (*pro hac vice*)
 Email: ecole@dl.com
DEWEY & LEBOEUF LLP
 1301 Avenue of the Americas
 New York, New York 10019
 Telephone: (212) 259-8000
 Facsimile: (212) 259-7013

PETER ROOT (142348)
 Email: proot@dl.com
DEWEY & LEBOEUF LLP
 1950 University Avenue
 East Palo Alto, California 94303
 Telephone: (650) 845-7000
 Facsimile: (650) 845-7333

STEVEN A. REISS (*pro hac vice*)
 Email: steven.reiss@weil.com
 DAVID L. YOHAI (*pro hac vice*)
 Email: david.yohai@weil.com
 DAVID E. YOLKUT (*pro hac vice*)
 Email: david.yolkut@weil.com
WEIL, GOTSHAL & MANGES LLP
 767 Fifth Avenue
 New York, New York 10153-0119
 Telephone: (212) 310-8000
 Facsimile: (212) 310-8007

GREGORY D. HULL (57367)
 Email: greg.hull@weil.com
 JOSEPH R. WETZEL (238008)
 Email: joseph.wetzel@weil.com
WEIL, GOTSHAL & MANGES LLP
 201 Redwood Shores Parkway
 Redwood Shores, California 94065-1175
 Telephone: (650) 802-3000
 Facsimile: (650) 802-3100

Attorneys for Defendants Panasonic Corporation of North America, MT Picture Display Corporation of America (NY) (defunct); MT Picture Display Co., Ltd. and Panasonic Corporation (f/k/a Matsushita Electric Industrial Co.)

By: /s/ Gary L. Halling
GARY L. HALLING (66087)
ghalling@sheppardmullin.com
JAMES L. MCGINNIS (95788)
jmcginnis@sheppardmullin.com
MICHAEL SCARBOROUGH (203524)
mscarbrough@sheppardmullin.com
SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP
Four Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
Telephone: (415) 434-9100
Facsimile: (415) 434-3947

Attorneys for Defendants Samsung SDI America, Inc., Samsung SDI Co., Ltd., Samsung SDI (Malaysia) Sdn. Bhd., Samsung SDI Mexico S.A. de C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co. Ltd., and Tianjin Samsung SDI Co., Ltd.

By: /s/ Michael Tubach
MICHAEL TUBACH (145955)
Email: mtubach@omm.com
O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
San Francisco, California 94111-3823
Telephone: (415) 984-8876
Facsimile: (415) 984-8701

By: /s/ Ian Simmons
IAN SIMMONS (*pro hac vice*)
Email: isimmons@omm.com
O'MELVENY & MYERS LLP
1625 Eye Street, NW
Washington, D.C. 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414

Attorneys for Defendants Samsung Electronics Co., Ltd. And Samsung Electronics America, Inc.,

1 By: /s/ Samuel Miller
2 SAMUEL R. MILLER (66871)
3 Email: srmiller@sidley.com
4 MARIE L. FIALA (79676)
5 Email: mfiala@sidley.com
6 RYAN SANDROCK (251781)
7 Email: rsandrock@sidley.com
8 ROBERT B. MARTIN, III (235489)
9 Email: rbmartin@sidley.com
10 **SIDLEY AUSTIN LLP**
11 555 California Street, 20th Floor
12 San Francisco, California 94104
13 Telephone: (415) 772-1200
14 Facsimile: (415) 772-7400

***Attorneys for Defendants LG Electronics, Inc.,
LG Electronics USA, Inc., and LG Electronics
Taiwan Taipei Co., Ltd.***

10 By: /s/ Ethan E. Litwin
11 ETHAN E. LITWIN (*pro hac vice*)
12 Email: LitwinE@howrey.com
13 **HOWREY LLP**
14 601 Lexington Avenue, 54th Floor
15 New York, New York 10022
16 Telephone: (212) 896-6500
17 Facsimile: (212) 896-6501

15 By: /s/ John Taladay
16 JOHN TALADAY (*pro hac vice*)
17 Email: TaladayJ@howrey.com
18 **HOWREY LLP**
19 1299 Pennsylvania Avenue, N.W.
20 Washington, D.C. 20004-2402
21 Telephone: (202) 783-0800
22 Facsimile: (202) 383-6610

***Attorneys for Defendant Philips Electronics
North America Corporation, Koninklijke
Philips Electronics N.V., Philips Electronics
Industries (Ta wan), Ltd., and Philips da
Amazonia Industria Electronica Ltda.***

22 By: /s/ Bruce H. Jackson
23 BRUCE H. JACKSON (98118)
24 Email: bruce.h.jackson@bakernet.com
25 ROBERT W. TARUN (64881)
26 Email: robert.w.tarun@bakernet.com
27 **BAKER & MCKENZIE LLP**
28 Two Embarcadero Center, 11th Floor
San Francisco, CA 94111-3802
Telephone: (415) 576-3000
Facsimile: (415) 576-3099

PATRICK J. AHERN (*pro hac vice*)
email: patrick.j.ahern@bakernet.com
BAKER & MCKENZIE LLP.
130 East Randolph Drive
Chicago, Illinois 60601
Telephone: (312) 861-3735
Facsimile: (312) 698-2034

Attorneys for Tatung Company of America, Inc.

By: /s/ Kent M. Roger
KENT M. ROGER (95987)
Email: kroger@morganlewis.com
MICHELLE PARK CHIU (248421)
Email: mchiu@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, California 94105-1126
Telephone: (415) 442-1000
Facsimile: (415) 442-1001

*Attorneys for Defendants Hitachi, Ltd., Hitachi
Asia, Ltd., Hitachi America, Ltd., Hitachi
Electronic Devices (USA), Inc., and Hitachi
Displays, Ltd.*

By: /s/ Terry Calvani
TERRY CALVANI (53260)
Email: terry.calvani@freshfields.com
BRUCE C. MCCULLOCH (*pro hac vice*)
Email: bruce.mcculloch@freshfields.com
CHRISTINE A. LACIAK (*pro hac vice*)
Email: christine.laciak@freshfields.com
**FRESHFIELDS BRUCKHAUS DERINGER
US LLP**
701 Pennsylvania Avenue, N.W.
Suite 600
Washington, D.C. 20004
Telephone: (202) 777-4500
Facsimile: (202) 777-4555

*Attorneys for Defendant Beijing Matsushita
Color CRT Company, Ltd.*

1 By: /s/ George L. Paul
2 CHRISTOPHER M. CURRAN (*pro hac vice*)
3 Email: ccurran@whitecase.com
4 GEORGE L. PAUL (*pro hac vice*)
5 Email: gpaul@whitecase.com
6 LUCIUS B. LAU (*pro hac vice*)
7 Email: alau@whitecase.com
8 **WHITE & CASE LLP**
9 701 Thirteenth Street, N.W.
10 Washington, D.C. 20005
11 Telephone: (202) 626-3600
12 Facsimile: (202) 639-9355

13 *Attorneys for Defendants Toshiba Corporation,*
14 *Toshiba America Electronic Components, Inc.,*
15 *Toshiba America Information Systems, Inc.,*
16 *Toshiba America, Inc. And Toshiba America*
17 *Consumer Products, L.L.C.*

18 By: /s/ Terrence A. Callan
19 TERRENCE A. CALLAN (36305)
20 Email: terrence.callan@pillsburylaw.com
21 **PILLSBURY WINTHROP SHAW**
22 **PITTMAN LLP**
23 50 Fremont Street
24 P.O. Box 7880
25 San Francisco, California 94120-7880
26 Telephone: (415) 983-1000
27 Facsimile: (415) 983-1200

28 JOSEPH R. TIFFANY II (67821)
Email: joseph.tiffany@pillsburylaw.com
PHILIP A. SIMPKINS (246635)
Email: philip.simpkins@pillsburylaw.com
PILLSBURY WINTHROP SHAW
PITTMAN LLP
2475 Hanover Street
Palo Alto, California 94304-1114
Telephone: (650) 233-4500
Facsimile: (650) 233-4545

Attorneys for Irico Group Corporation and Irico
Display Devices Co., Ltd.

By: /s/ William Diaz
WILLIAM DIAZ (232297)
Email: wdiaz@mwe.com
MCDERMOTT WILL & EMERY
18191 Von Karman Avenue
Suite 500
Irvine, California 92612-7108
Telephone: (949) 851-0633
Facsimile: (949) 851-9348

Attorneys for Samtel Color, Ltd.

By: /s/ R. Alexander Saveri
GUIDO SAVERI (41059)
Email: guido@saveri.com
R. ALEXANDER SAVERI (173102)
Email: rick@saveri.com
CADIO ZIRPOLI (179108)
Email: cadio@saveri.com
SAVERI & SAVERI INC.
706 Sansome Street
San Francisco, California 94111
Telephone: (415) 217-6810
Facsimile: (415) 217-6813

Interim Lead Counsel for the Direct Purchaser Plaintiffs

By: /s/ Mario N. Alioto
MARIO N. ALIOTO (56433)
Email: malioto@tatp.com
LAUREN C. RUSSELL (241151)
Email: lauren russell@tatp.com
TRUMP, ALIOTO, TRUMP & PRESCOTT,
LLP
2280 Union Street
San Francisco, California 94123
Telephone: (415) 563-7200
Facsimile: (415) 346-0679

Interim Lead Counsel for the Indirect Purchaser Plaintiffs

By: /s/ Lidia Maher
LIDIA MAHER (222253)
Email: Lidia.Maher@usdoj.gov
ANNA TRYON PLETCHER (239730)
Email: Anna.Pletcher@usdoj.gov
MAY LEE HEYE (209366)
Email: May.Heye@usdoj.gov
U.S. DEPARTMENT OF JUSTICE,
ANTITRUST DIVISION
450 Golden Gate Avenue
Box 36046
San Francisco, California 94102
Telephone: (415) 436-6660
Facsimile: (415) 436-6687

Attorneys for the United States

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 5, 2010

Honorable
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

STIPULATION AND [PROPOSED] ORDER TO EXTEND LIMITS OF DISCOVERY STAY
Case No. M-07-5944 SC

Exhibit 5

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
9 LITIGATION

No. M 07-1827 SI

MDL. No. 1827

10 This Order Relates to:

11 ALL CASES
12
13

**ORDER GRANTING IN PART AND
DENYING IN PART DIRECT
PLAINTIFFS' OBJECTIONS TO
SPECIAL MASTER'S REPORT AND
RECOMMENDATION REGARDING
TRANSLATIONS; ADOPTING REPORT
AND RECOMMENDATION**

14
15 On January 21, 2010, the Court heard argument on the direct purchaser plaintiffs' objections to
16 the Special Master's December 14, 2009 Report and Recommendation Re: Direct Purchaser Plaintiffs'
17 and Indirect Purchaser Plaintiffs' Motion to Compel Production of Translations. Pursuant to Pretrial
18 Order No. 4, the Court reviews the Special Master's conclusions of law *de novo* and factual findings for
19 clear error.

20 With regard to those translations that were prepared at the direction of counsel for Toshiba, LG,
21 Sharp, and Chi Mei, the Court agrees with the Special Master that those translations constitute opinion
22 work product. *See Sporck v. Peil*, 759 F.2d 312, 315-16 (3d Cir. 1985). For those translations that were
23 not sent to the Department of Justice, such as those prepared by the Toshiba entities, there has been no
24 waiver of the attorney work product protection. As to those translations that were provided to the
25 Department of Justice, even if there was a waiver, plaintiffs are nevertheless not entitled to those
26 translations because the May 27, 2008 Joint Recommendation and Order re Stay of Discovery prohibits
27 all discovery that "refer, reflect or relate to any party's or witness' communications with the United
28 States" Docket No. 631 ¶ 3. Accordingly, the Court DENIES the direct purchaser plaintiffs'

1 objections as to translations prepared at the direction of counsel for Toshiba, LG, Sharp, and Chi Mei
2 (Docket No. 1431) and ADOPTS the Report and Recommendation (Docket No. 1420) insofar as it
3 relates to those translations.

4 With regard to translations, if any, that were prepared by Samsung, Hitachi, AU Optronics,
5 HannStar, Chunghwa Picture Tubes, Epson, and Sanyo, there has been no showing that the translations
6 were prepared at the direction of counsel. To the extent that any of these defendants provided
7 translations to the Department of Justice, discovery of those translations would be barred by the May
8 27, 2008 order. However, if these defendants possess translations that were not provided to the
9 Department of Justice, such translations are discoverable absent a showing that they are protected as
10 attorney work product. Accordingly, as to each of the defendants Samsung, Hitachi, AU Optronics,
11 HannStar, Chunghwa Picture Tubes, Epson, and Sanyo, the Court GRANTS plaintiffs' motion and
12 orders that any such translations be produced, unless within 15 days of the filing date of this order, such
13 defendant files a declaration with this Court (1) stating a sufficient factual basis for any assertion of
14 attorney work product, and (2) showing good cause why the factual basis for an assertion of privilege
15 was not made before Judge Smith in the first instance or in opposing the direct purchaser plaintiffs'
16 motion in this Court. If any defendant files such a declaration, direct purchaser plaintiffs may file a
17 response within 5 days, and the Court will take the matter under submission.

18
19 **IT IS SO ORDERED.**

20
21 Dated: January 21, 2010



22 **SUSAN ILLSTON**
23 United States District Judge
24
25
26
27
28

Exhibit 6

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ADVANCED MICRO DEVICES, INC. and)
AMD INTERNATIONAL SALES & SERVICE,)
LTD.,)
)
Plaintiffs,)
) C. A. No. 05-441 (JJF)
v.)
)
INTEL CORPORATION and)
INTEL KABUSHIKI KAISHA,)
)
Defendants.)

IN RE:)	
)	
INTEL CORP. MICROPROCESSOR)	MDL Docket No. 05-1717 (JJF)
ANTITRUST LITIGATION)	
)	

PHIL PAUL, on behalf of himself)	
and all others similarly situated,)	C.A. No. 05-485-JJF
)	
Plaintiffs,)	CONSOLIDATED ACTION
)	
v.)	
)	
INTEL CORPORATION,)	
)	
Defendant.)	

STIPULATION AND ORDER REGARDING ENGLISH TRANSLATIONS

The parties hereto, through their respective counsel of record and subject to the approval of the Court, hereby stipulate to the following regarding the use of translations of foreign language documents:

1. In accordance with Local Rule 7.1.3(d), whenever a document, paper or testimony in a foreign language is included in any appendix or exhibit, or is cited from the record in any brief or motion, an English translation shall be included with the document, paper, or testimony. It shall not be necessary, prior to filing the English translation, to obtain approval from the Court or agreement from another party regarding the accuracy of the translation; however, any other party may dispute the correctness of the English translation in its responsive papers. If an English translation is submitted with a reply brief or other filing to which no response otherwise would be allowed, then any party may dispute the correctness of the translation by a short filing within two weeks or such different time period as to which the parties might stipulate or the Court might order.

2. The parties agree to comply with this Stipulation pending the Court's approval and entry of this order.

RICHARDS, LAYTON & FINGER

OF COUNSEL:

Charles P. Diamond, Esq.
Linda J. Smith, Esq.
Mark A. Samuels, Esq.
O'Melveny & Myers LLP
1999 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067
(310) 246-6800

Salem M. Katsh
Laurin B. Grollman
Kasowitz, Benson, Torres & Friedman LLP
1633 Broadway, 22nd Floor
New York, New York 10019

By /s/ Frederick L. Cottrell
Jesse A. Finkelstein (#1090)
Frederick L. Cottrell, III (#2555)
Chad M. Shandler (#3796)
Steven J. Fineman (#4025)
One Rodney Square
P. O. Box 551
Wilmington, DE 19899
(302) 651-7500
finkelstein@rlf.com
shandler@rlf.com
fineman@rlf.com
cottrell@rlf.com

Dated: May 2, 2006

*Attorneys for Plaintiffs
Advanced Micro Devices, Inc. and
AMD International Sales & Service, Ltd.*

PRICKETT, JONES & ELLIOTT, P.A.

OF COUNSEL
(INTERIM CLASS COUNSEL):

Michael D. Hausfeld
Daniel A. Small
Brent W. Landau
Allyson B. Baker
COHEN, MILSTEIN, HAUSFELD
& TOLL, P.L.L.C.
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, D.C. 20005

Michael P. Lehman
Thomas P. Dove
Alex C. Turan
THE FURTH FIRM LLP
225 Bush Street, 15th Floor
San Francisco, CA 94104

Steve W. Berman
Anthony D. Shapiro
HAGENS BERMAN SOBOL
SHAPIRO, LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101

Guido Saveri
R. Alexander Saveri
SAVERI & SAVERI, INC.
111 Pine Street, Suite 1700
San Francisco, CA 94111

Dated: May 2, 2006

By /s/ James L. Holzman
James L. Holzman (#663)
J. Clayton Athey (#4378)
Eric M. Andersen (#4376)
Prickett, Jones & Elliott, P.A.
1310 King Street
P.O. Box 1328
Wilmington, DE 19899
jlholzman@prickett.com
icathy@prickett.com
emandersen@prickett.com

Interim Liaison Counsel

OF COUNSEL:

Robert E. Cooper
Daniel S. Floyd
Gibson, Dunn & Crutcher LLP
333 South Grand Avenue
Los Angeles, CA 900071
(213) 229-7000

Peter E. Moll
Darren B. Bernhard
Howrey LLP
1299 Pennsylvania Avenue
N.W. Washington, DC 20004
(202) 783-0800

Richard A. Ripley
BINGHAM McCUTCHEN LLP
2020 K Street, N.W.
Washington, DC 20006
Telephone: (202) 373-6000
Facsimile: (202) 373-6001

David M. Balabanian
Christopher B. Hockett
BINGHAM McCUTCHEN LLP
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: (415) 393-2000
Facsimile: (415) 393-2286

Dated: May 2, 2006

729834

POTTER ANDERSON & CORROON LLP

By: /s/ Richard L. Horwitz
Richard L. Horwitz (#2246)
W. Harding Drane, Jr. (#1023)
Hercules Plaza, 6th Floor
1313 N. Market Street
P.O. Box 951
Wilmington, DE 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
wdrane@potteranderson.com

*Attorneys for Defendants
Intel Corporation and Intel Kabushiki Kaisha*

IT IS SO ORDERED THIS _____ day of May, 2006.

United States District Judge